

Application Serial No. 10/642,202
Reply to Office Action dated July 28, 2004

REMARKS/ARGUMENTS

Initially, the Applicant would like to thank Examiner Lu for the early indication of allowable subject matter. That is, the Examiner has indicated that claims 1-26 are allowed and claim 29 has been indicated to contain allowable subject matter if rewritten in independent form including all the limitations of the base claim and any intervening claims. The remaining claims, i.e., claims 27, 28 and 30-34 are currently rejected under 35 U.S.C. § 102(b) as being anticipated by Jordan, Jr., (U.S. Patent No. 5,743,025).

In general, the present invention is directed to a volatilizable media holder that is placed within an air passage of a laundry appliance. More specifically, the media holder is placed within an air passage in a dryer cabinet for treating an airflow that passes into a dryer chamber portion of the dryer cabinet. The media holder includes a main body portion formed from a latticework frame having a plurality of openings and a door member, also formed from a latticework frame, which is connected to the main body portion and adapted to selectively retain a volatilizable material within an interior chamber of the main body portion. The volatilizable material can be, for example, a dryer sheet or other such material that can treat an airflow passing into a dryer chamber so as to treat clothing contained therein.

The Jordan reference is directed to a dryer basket for holding sneakers that is insertable into a drum of a clothes dryer. The dryer basket includes a main body portion and a door that are constructed of a rigid, mesh material for retaining a sneaker in a drum of a dryer in order to expose the sneaker to a drying operation. The Applicant respectfully submits that, contrary to the position taken by the Examiner, the Jordan reference simply does not teach retaining a volatilizable material within the main body portion of the media holder. More specifically, it is respectfully submitted that equating a sneaker with a volatilizable material for treating laundry is an unreasonable interpretation of the invention.

Application Serial No. 10/642,202
Reply to Office Action dated July 28, 2004

In addition to the above, the Applicant respectfully submits that, as the Jordan, Jr. reference is directed to drying sneakers, the sneaker holder must be located within a drying chamber of a dryer. In contrast, the media holder of the present invention is adapted to be placed in an air passage of a laundry dryer not in a drying chamber. While claim 27 is a sub-combination directed to the media holder itself, the main body portion is formed such that a drying airflow is adapted to pass through an interior chamber when the media holder assembly is positioned in an air passage of a laundry dryer. The Applicant respectfully submits that this claim language imparts structural limitations to the media holder. See *In re Venezia* 530 F.2d 956, 958 (CCPA 1976). That is, claim 27 makes a clear distinction between an air passage of a laundry dryer and a drying chamber of a laundry dryer with the media holder being structurally configured so as to be positionable in an air passage, not a drying chamber portion of a dryer as required by Jordan, Jr.

With respect to many of the dependent claims, it is respectfully submitted that these claims further distinguish the invention from the prior art. For example, claim 30 further requires that the media holder include a handle element for positioning the media holder assembly relative to the air passage. Claim 31 requires the existence of at least one guide element for aligning the media holder assembly within an air passage of a dryer. Claim 32 locates the guide element relative to the door member. Claim 33 adds retaining elements that project from the latticework frame of the main body portion for holding a volatilizable material. Finally, claim 34 includes structure for releasably latching the door member to the main body portion. There is simply no disclosure in Jordan, Jr. on this subject matter. Therefore, the Applicant respectfully submits that these claims are patentably distinct from the applied prior art.

In view of the above remarks, it is respectfully submitted that the invention is patentably defined over the prior art of record such that allowance of all claims and passage of the application to issue is respectfully requested. If the Examiner should have any additional concerns regarding the allowance of this application, the Examiner is

Application Serial No. 10/642,202
Reply to Office Action dated July 28, 2004

cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution of the application.

Respectfully submitted,



Everett G. Diederiks, Jr.
Attorney for Applicant
Reg. No. 33,323

Date: October 27, 2004
DIEDERIKS & WHITELAW, PLC
12471 Dillingham Square, #301
Woodbridge, VA 22192
Tel: (703) 583-8300
Fax: (703) 583-8301